

**DENNIS J. MOONEY,** )  
 )  
 **Movant,** )  
 )  
 **v.** ) **No. 1:01-cr-00003-GZS**  
 ) **1:03-cv-00210-GZS**  
 **UNITED STATES OF AMERICA,** )  
 )  
 **Respondent.** )  
 )

The United States Magistrate Judge filed with the Court on August 30, 2013, her Recommended Decision (ECF No. 200). Movant filed his Objection to the Recommended Decision (ECF No. 201) on September 19, 2013.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that Movant's Motion to Reopen his 28 U.S.C. §2255 Motion (ECF No. 198) is **DENIED WITHOUT PREJUDICE** to his right to file a new §2255 Motion should he ever obtain the First Circuit Court of Appeal's certification to do so.

/s/George Z. Singal

U.S. District Judge

Dated this 8th day of October, 2013.